

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

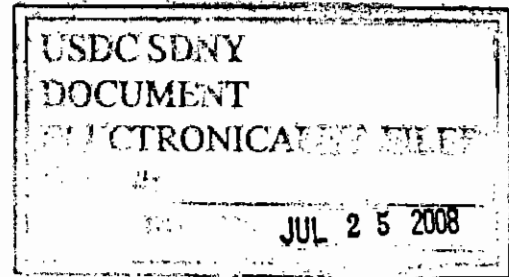
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D'ANCONA, RUPERT & KAUFMAN

Plaintiff(s),

-v-

D&R TRANSPORTATION,

Defendant(s).
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No. 07 Civ. 5788 (LTS)(KNF)


ORDER

A conference was held in the captioned action today. Despite having requested permission to appear by telephone and that permission having been granted, plaintiff Rupert's counsel, A. Joseph Tandet, Esq., was neither available by telephone nor present in the courtroom, and his office professed upon inquiry to be unable to reach him.

It is hereby ORDERED, that Mr. Tandet shall produce the automatic disclosure materials required by Fed. R. Civ. P. 26(a)(1) to defendant's counsel, with copies to plaintiffs' counsel in the related cases, and file with this Court a certificate attesting to such production and service, no later than **August 8, 2008**; and it is further

ORDERED, that if the certificate is not timely filed, this action will be dismissed as to plaintiff Rupert, with prejudice and without further advance notice to plaintiff.

Dated: New York, New York
July 25, 2008



LAURA TAYLOR SWAIN
United States District Judge

Copies mailed/faxed to Mr. Tandet
Chambers of Judge Swain
7-25-08